

Amendments to the Drawings:

The attached replacement drawing sheets make changes to Figs. 4, 5, 7a, 7b, 8, 9 and 11 and replace the original sheets with Figs. 4, 5, 7a, 7b, 8, 9 and 11.

Attachment: Replacement Sheets

REMARKS

Claims 1-19 are pending in this application. By this Amendment, claims 1, 4-6, 8-10, and 13-15 are amended. Claims 4-6, 8-10, 14 and 15 are amended only to correct informalities pointed out in the Office Action and not in response to a substantive rejection of the claims. The specification and figures are also amended. No new matter is added.

I. Personal Interview

The courtesies extended to Applicants' representative by Examiner Royer during the interview held August 24, 2005, are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below and constitute Applicants' record of the interview.

II. Allowable Subject Matter

The indication of allowable subject matter in claims 10-12 and 14-19 is appreciated, they being allowable if rewritten in independent form to include all of the features of their respective base claims and any intervening claims. Claims 10-12, 14-19, and the remaining pending claims are in condition for allowance for the reasons discussed below.

III. Drawings

The drawings are objected to due to informalities. Specifically, the Office Action maintains that the figures are objected to because every line, number and letter are not durable, clean, black, sufficiently dense and dark, and uniformly thick and well defined. The Office Action further indicates that Figs. 4, 5, 7a, 7b, 8 and 9 appear to be photographs and therefore are difficult to distinguish from each other due to different levels of shading. Figs. 4, 5, 7a, 7b, 8 and 9 are amended in reply to the objection.

Additionally, Fig. 11 is amended to include reference number 550 indicating the bus shown in Fig. 11 and described in the specification. Accordingly, withdrawal of the objection to the figures is respectfully requested.

IV. Specification

It is alleged in the Office Action that the title of the invention is not descriptive. The title is amended in reply to the allegation.

The Office Action also objects to the disclosure due to informalities. A substitute specification is submitted herewith in reply to the objections.

V. Claim Objections

Claims 4-6, 8-11, 14 and 15 are objected to due to informalities. The claims are amended in reply to the objection. Accordingly, withdrawal of the objection is respectfully requested.

VI. Claim Rejections Under 35 U.S.C. §102

Claims 1-9 and 13 are rejected under 35 U.S.C. §102(b) as anticipated by U.S. Patent 5,323,216 to Mahoney. The rejection is respectfully traversed.

Mahoney fails to disclose each and every feature recited in the rejected claims. For example, Mahoney fails to disclose a reprographic marking device that marks a substrate comprising ... a drive motor for moving at least one of the first roll and the second roll in a continuous back and forth lateral motion to change a position of the at least one of the first roll and the second roll relative to the substrate while the substrate passes through the nip portion, as recited in amended claim 1, or the corresponding feature of the method recited in claim 13.

As discussed in the Description of Related Art section of the specification, Mahoney discloses a lateral moving fuser system that incorporates a stepping type drive motor controlled by a logic and control circuit. The logic and control circuit 17 either activates the motor 14 prior to the start of the copy cycle, for a set interval of time, to laterally move the fuser station 1 a preset distance, or maintains motor 14 in a deactivated state and the fuser system 1 in a stationary position relative to the base plate 6 (col. 3, lines 33-39). Thus,

Mahoney does not disclose moving the rollers in a continuous back and forth lateral motion relative to the substrate passing through the nip portion. Rather, Mahoney merely discloses moving the fuser system a preset distance prior to the start of the copy cycle or not moving the fuser system at all. Additionally, because Mahoney discloses a stepper motor, it is not possible to move the fuser system in a continuous motion.

Mahoney further discloses that the logic and control circuit 17 may be programmed to activate the motor 14 after a preset volume of copies have been fused to move the fusing station 1. However, Mahoney does not disclose continuously moving the rollers in a back and forth lateral motion relative to the substrate while the substrate passes through the nip portion. Rather, Mahoney merely indicates that the fusing system is moved more frequently by programming the activation of the motor to move after a predetermined number of copies have been made (col. 3, lines 44-51). Mahoney goes on to disclose that "while this lateral movement, of fusing station 1, may be performed at anytime, the comparison by a logic and control circuit 17, of information regarding the size of receiver 5 and the amount of receiver 5 to be run, or the monitoring of the total amount of copies run since the last lateral movement of the fusing system 1 is preferably performed before each receiver 5 copy cycle" (emphasis added) (col. 3, lines 56-62).

Mahoney further recites that by performing the comparison or copy run count prior to each receiver 5 copy cycle and restricting lateral movement of the fusing system 1 to either between copy runs or during interframes, adverse affects in the fusing process are avoided that could result from movement of the fusing station while the receiver 5 is in the fusing nip (col. 3, line 66 – col. 4, line 4). Thus, Mahoney specifically teaches away from moving the fusing station during the fusing process. In contrast, the claims specifically recite continuously moving in a back and forth lateral motion the first and second roll relative to the

substrate while the substrate passes through the nip portion. Accordingly, Mahoney fails to disclose the features as alleged in the Office Action. Thus, withdrawal of the rejection of claims 1-9 and 13 under 35 U.S.C. §102(b) is respectfully requested.

VII. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-19 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachments:

Substitute Specification
Amended Abstract
Replacement Sheet

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